

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974 is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

(a) PLAINTIFFS

JHAN MICHAEL ORDONEZ

DEFENDANTS

FRONTIER AIRLINES, INC., REPUBLIC AIRWAYS HOLDINGS, INC., ROGER SORENSON, and DOES 1 to 20, INCLUSIVE

(b) County of Residence of First Listed Plaintiff **San Mateo**

(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

(c) Attorneys (Firm Name, Address, and Telephone Number)

Kenneth C. Absalom/Law Office of Kenneth C. Absalom
75 Battery Street, Suite 200
San Francisco, CA 94111 (415) 392-5040

Attorneys (If Known)

Martina M. Nagle/Paul, Plevin, Sullivan & Connaughton
101 West Broadway, 9th Floor
San Diego, CA 92101 (619) 237-5200

MEJ

I. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 ☐ U.S. Government Plaintiff
- 2 ☐ U.S. Government Defendant
- 3 ☐ Federal Question (U.S. Government Not a Party)
- 4 ☒ Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|---------------------------------------|----------------------------|---|----------------------------|---------------------------------------|
| Citizen of This State | <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input checked="" type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

V. NATURE OF SUIT (Place an "X" in One Box Only)

- | | | | | | |
|---|--|---|--|--|---|
| 110 Insurance | PERSONAL INJURY | PERSONAL INJURY | <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 | <input type="checkbox"/> 422 Appeal 28 USC 158 | <input type="checkbox"/> 375 False Claims Act |
| 120 Marine | <input type="checkbox"/> 310 Airplane | <input type="checkbox"/> 365 Personal Injury - Product Liability | <input type="checkbox"/> 690 Other | <input type="checkbox"/> 423 Withdrawal 28 USC 157 | <input type="checkbox"/> 400 State Reapportionment |
| 130 Miller Act | <input type="checkbox"/> 315 Airplane Product Liability | <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability | | <input type="checkbox"/> 430 Antitrust | <input type="checkbox"/> 410 Antitrust |
| 140 Negotiable Instrument | <input type="checkbox"/> 320 Assault, Libel & Slander | <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability | | <input type="checkbox"/> 440 Commerce | <input type="checkbox"/> 430 Banks and Banking |
| 150 Recovery of Overpayment & Enforcement of Judgment | <input type="checkbox"/> 330 Federal Employers' Liability | PERSONAL PROPERTY | | <input type="checkbox"/> 450 Copyrights | <input type="checkbox"/> 450 Commerce |
| 151 Medicare Act | <input type="checkbox"/> 340 Marine | <input type="checkbox"/> 370 Other Fraud | <input type="checkbox"/> 710 Fair Labor Standards Act | <input type="checkbox"/> 460 Patent | <input type="checkbox"/> 460 Deportation |
| 152 Recovery of Defaulted Student Loans (Excludes Veterans) | <input type="checkbox"/> 345 Marine Product Liability | <input type="checkbox"/> 371 Truth in Lending | <input type="checkbox"/> 720 Labor/Management Relations | <input type="checkbox"/> 470 Trademark | <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations |
| 153 Recovery of Overpayment of Veterans's Benefits | <input type="checkbox"/> 350 Motor Vehicle | <input type="checkbox"/> 380 Other Personal Property Damage | <input type="checkbox"/> 740 Railway Labor Act | | <input type="checkbox"/> 480 Consumer Credit |
| 160 Stockholders' Suits | <input type="checkbox"/> 355 Motor Vehicle Product Liability | <input type="checkbox"/> 385 Property Damage Product Liability | <input type="checkbox"/> 751 Family and Medical Leave Act | <input type="checkbox"/> 861 HIA (1395ff) | <input type="checkbox"/> 490 Cable/Sat TV |
| 190 Other Contract | <input type="checkbox"/> 360 Other Personal Injury | | <input checked="" type="checkbox"/> 790 Other Labor Litigation | <input type="checkbox"/> 862 Black Lung (923) | <input type="checkbox"/> 850 Securities/Commodities/Exchange |
| 195 Contract Product Liability | <input type="checkbox"/> 362 Personal Injury - Medical Malpractice | Habeas Corpus: | <input type="checkbox"/> 791 Employee Retirement Income Security Act | <input type="checkbox"/> 863 DIWC/DIWW (405(g)) | <input type="checkbox"/> 890 Other Statutory Actions |
| 196 Franchise | | <input type="checkbox"/> 463 Alien Detainee | | <input type="checkbox"/> 864 SSID Title XVI | <input type="checkbox"/> 891 Agricultural Acts |
| | | <input type="checkbox"/> 510 Motions to Vacate Sentence | | <input type="checkbox"/> 865 RSI (405(g)) | <input type="checkbox"/> 893 Environmental Matters |
| | | <input type="checkbox"/> 530 General | | | <input type="checkbox"/> 895 Freedom of Information Act |
| | | <input type="checkbox"/> 535 Death Penalty | | | <input type="checkbox"/> 896 Arbitration |
| | | Other: | | | <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision |
| | | <input type="checkbox"/> 540 Mandamus & Other | | | <input type="checkbox"/> 950 Constitutionality of State Statutes |
| | | <input type="checkbox"/> 550 Civil Rights | | | |
| | | <input type="checkbox"/> 555 Prison Condition | | | |
| | | <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement | | | |

VI. ORIGIN (Place an "X" in One Box Only)

- 1 ☐ Original Proceeding
- 2 ☒ Removed from State Court
- 3 ☐ Remanded from Appellate Court
- 4 ☐ Reinstated or Reopened
- 5 ☐ Transferred from Another District (specify)
- 6 ☐ Multidistrict Litigation

1. CAUSE OF ACTIONCite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
28 U.S.C. Sec. 1332Brief description of cause:
Removal based on diversity.**II. REQUESTED IN COMPLAINT:**☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$ unspecified

CHECK YES only if demanded in complaint:
JURY DEMAND: ☒ Yes ☐ No**III. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE

DOCKET NUMBER

DATE

2/28/2013

SIGNATURE OF ATTORNEY OF RECORD

Martina M. Nagle

IV. DIVISIONAL ASSIGNMENT (Civil L.R. 3-2)

(Place an "X" in One Box Only)



SAN FRANCISCO/OAKLAND



SAN JOSE



EUREKA

1 *Ordonez v. Frontier Airlines*
2 USDC – Northern District Case No.

3 **PROOF OF SERVICE**

4 I, the undersigned, hereby declare that I am over the age of eighteen years and not a party
5 to this action. I am employed, or am a resident of, the County of San Diego, California, and my
6 business address is: Paul, Plevin, Sullivan & Connaughton LLP, 101 West Broadway, Ninth
7 Floor, San Diego, California 92101-8285.

8 On March 1, 2013, I caused to be served the following document(s):

9 • **CIVIL COVER SHEET**

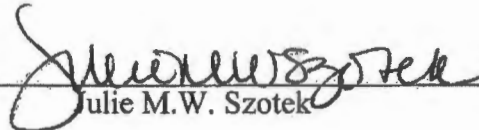
10 on the interested party (ies) in this action by placing a true copy thereof and addressed as follows:

11 Kenneth C. Absalom
12 Law Office of Kenneth C. Absalom
13 275 Battery Street, Suite 200
14 San Francisco, CA 94111
15 Telephone: (415) 392-5040
16 Facsimile: (415) 392-3729
17 kenabsalom@333law.com

18 ☒ (By **MAIL SERVICE**) I then sealed each envelope and, with postage thereon fully
19 prepaid postage, I placed each for deposit with United States Postal Service, this same
20 day, at my business address shown above, following ordinary business practices.

21 ☒ (Federal) I declare that I am employed by the office of a member of the bar of this court
22 at whose direction the service was made.

23 Executed March 1, 2013, at San Diego, California.

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Julie M.W. Szotek